

# **Red Cliff Band of Lake Superior Chippewas**

## **SPECIAL COUNCIL RETREAT MEETING**

August 2, 2012

8:00 a.m. Legendary Waters

Buffalo Bay Grand Ballroom

Meeting called to order at 8:20 a.m. by Rose Soulier, Tribal Chairperson.

### **ROLL CALL:**

Rose Soulier, Present – excused at 3:50 p.m.	Joanne Peterson, Present
Nathan Gordon, Present	Bryan Bainbridge, Present
Laura J. Gordon, Present	Jeanne Gordon, Present – excused at 4:15 p.m.
Dennis Soulier, Present	Marvin Defoe, Present
Mike Gurnoe, Present – excused at 3:00 p.m.	Quorum

### **OPENING CEREMONY**

Opening ceremony performed by Frank Montano.

### **AGENDA**

Marvin Defoe moved to approve the agenda. Seconded by Joanne Peterson. Motion carried.

Dennis Soulier moved to go into Executive Session. Seconded by Nathan Gordon. Motion carried.

Dennis Soulier moved to return to Regular Session. Seconded by Jeanne Gordon. Motion carried.

In attendance: Dave Ujke, Tribal Attorney, Mark Montano, Director of Tribal Operations, Randy Hella, Tribal Planner, Rick Wygonik, Tribal Human Resource, and Division Administrators.

### **REVIEW AND DISCUSSION OF 2012 TRIBAL PRIORITIES – TIM KANE**

Tim Kane from the University of Wisconsin Extension facilitated the discussion on the Tribal Priorities. Tim, Council and Division Administrators went through the top 5 priorities from 2012 they were: 1. Poverty, 2. Space Needs, 3. Serious Drug Problem, 4. Need to increase land base, 5. More education funding, 6. Develop a financial plan for debt service reduction. There are actually six (6) due to a tie.

Each Division Administrator was asked what the needs are within their programs. Went around the table and got information from each Division and the following was developed:

### **DIVISIONAL PRIORITIES**

1). Family Services: Capacity, space, money, and people.

- 2). Health: space and capacity to provide mental health, providing health services to Tribal members.
- 3). IT: Training and people (understaffed).
- 4). Education: Capacity to provide education services, space and money.
- 5). Natural Resources: Space needs, capacity.
- 6). Human Services: Staff and funding needs, capacity.
- 7). Public Works: Don't have capacity to maintain water and sewer, money and staff.
- 8). Legal: New additional, qualified professional staff, an additional attorney.
- 9). Human Resources: Need to keep fringe related costs down, need to expand on electronics to meet the needs of the Tribe. Trainings and staffing.
- 10). Finance: Looking at opportunities to increase revenue, grant writer, and attract business industries, develop entrepreneurs, develop reserve fund, invest in viable ventures, provide training, financial incentives to attract and keep good employees.
- 11). Housing: Limited areas for building new housing.
- 12). Planning: Capacity.
- 13). Law Enforcement: Capacity space and staff.

**2013 TRIBAL PRIORITIES:** What are the most important issues facing the Red Cliff Community that the Tribal Council needs to address?

### **2013 TOP TRIBAL PRIORITIES**

- 1). Poverty – Economic Development, Jobs Support & Direction for Red Cliff Business Board.
- 2). Space Needs – Health Center, Library, Community Center, Early Childhood, ECC Child Care. Administration Space.
- 3). Serious Drug/Crime Problem, Prescription Drug Problem and Alcohol Substance Abuse Problem.
- 4). Need to Increase Land Base for New Housing.
- 5). More Educational Funding for Training Tribal Members, Including K-12, Post Secondary, Training Future Leaders.

6). Develop Financial Plan or Debt Service Reduction.

7). Capacity (staff funding space, time).

Marvin's concerns: Impact of drought (climate change) on Red Cliff Community and being able to prepare for it and adapt to change. \*Impact on food, water & other resources.

Create Task Force on Climate Change.

The number one priority was capacity, and space in all departments.

Marvin Defoe expressed a concern that is a national and local concern of all leaders regarding the climate change. This change is affecting everyone in the world and needs to be addressed. Lot of places is having droughts, this affects our food chain, and can we feed 1700 persons? Discussed.

Bryan Bainbridge moved to adopt the 2013 priorities list. Seconded by Dennis Soulier. Motion carried.

Marvin Defoe moved to develop a Task Force regarding climate changes. Seconded by Jeanne Gordon. Motion carried.

## **CRITICAL PRIORITIES**

### ***Economic Development/Randy Hella***

The Business Board needs to be approved for 3, 2 and 1 year term with removal of three members.

Dennis Soulier moved to remove Robert Bear, Jeff Gordon and Brian Pierson from the Business Board. Seconded by Mike Gurnoe. Motion carried.

Joanne Peterson moved to appoint Thomas J. Gordon, Gary Gerber, Mark Bugher, Gerald DePerry, Myron Schuster, Marvin Defoe and Nathan Gordon as members to the Business Board. Seconded by Bryan Bainbridge. (2 abstentions Marvin Defoe and Nathan Gordon). Motion carried.

Dennis Soulier moved to appoint Nathan Gordon as Chairman and Marvin Defoe as Vice Chairman of the Business Board. Seconded by Bryan Bainbridge. To be appointed for 3 year terms, second concurs. Motion carried.

Joanne Peterson moved to appoint Thomas J. Gordon to a three year term to the Business Board. Seconded by Mike Gurnoe. Motion carried.

Joanne Peterson moved to appoint Gary Gerber and Mark Bugher to a two year term to the Business Board. Seconded by Bryan Bainbridge. Motion carried.

Dennis Soulier moved to appoint Gerald DePerry to a two year term and Myron Schuster to a one year term on the Business Board. Seconded by Marin Defoe. Motion carried.

Tribal Chairperson would like to keep Marvin on the Project/Grant Committee's; Nathan is on both of them. Joanne Peterson moved to appoint Marvin Defoe to both Committees'. Seconded by Bryan Bainbridge. (1 abstention Marvin Defoe).

Randy gave the Council a schedule on the draws of the monies received from Shakopee and the balances. Kathy Barri keeps tacks of all transactions.

### ***Housing/Mike Babineau***

Housing received an email that the Rural Development monies must be spent by the 29<sup>th</sup> of October. The project that was dropped in the Old Housing, USDA agreed we could change it for a different project and we are waiting for a letter to move forward. Plans are to build a three (3) unit four plex next to the Gurnoe Villa property, funding will be USDA, Rural Development and the million dollars for this project. Council received a copy of the audit for review.

Different set up on Supportive New Housing and Mike will send a copy to the Council. 15 Tribes will receive \$50,000 planning grant. Mike asked Division Administrators to send someone in their place if they cannot attend meeting. It will be a good program. Staff knows the tenants, family size etc. Maxine Babineau and Laura Belanger are certified.

There was discussion held on drug and sexual convictions when young tribal members were no other convictions and whether they qualify for Housing. Mike will check the regulations and see what they say regarding this issue. Suggestion by Tribal Chairperson Rose Soulier was the possibility of a Tribal pardon for these situations. Legal suggested having the Housing's attorney check on this.

Question was asked if the Housing have considered setting up a trailer park and the infrastructure for it. Mike sees no problem with discussing with the Red Cliff Housing Board. Red Cliff Housing has a good relationship with Chippewa Valley Bank.

### ***Legendary Waters/Robert Pokorney & John Larson***

For Council review is a draft of the new Employee Handbook, Robert went over the major changes for Council. 1) Changed sick and vacation leave to paid time off, they don't need to know why a person is off. It's the same for all employees; time can be taken after three months. 2) Donation of time can be done on a voluntary basis to a needy person as long as 40 hours are kept in their bank. 3) Grading employee's for attendance, longevity, performance in positions, can receive a raise based on evaluations. 4) Attendance policy had used point system, when occurrence happens it's documented in written form by the Supervisor/Manager who should take the responsibility of handling problems early. 5) Probation was for three months

has been change to six months and ties into the grading system. 6) Corrective Action requires step by step documentation written on employees. Discussed. Drug testing, nepotism, carrying over of time, termination and leave time. David Ujke will share information on the Tribal Leave system regarding time with Robert. Council to review and this will be put on the second meeting agenda in August.

Training has started on Title 31 for employees, Surveillance and Security will also be receiving training within the next two weeks. We will also be ordering stuff on customer service and combine it with Title 31 for new employee orientation.

August promos have been set up. The floating docks are being put together; there will be 20 big boats in the marina for people to look at on Friday, Saturday and Sunday next weekend. The casino is planning a one (1) year celebration on September 29, 2012 with a car give away and other things. They have been looking at winter activities and plan to be ready with them.

Robert would like to do away with the Wednesday bingo's or give them to the community like Sunday bingos. Legendary Waters makes no profit on the bingos. Discussed. Council will discuss this and give a decision at the report meeting the end of the month. At this meeting the Council would like a report for Jan/Feb. on a plan to accomplish payments, to be spelled out and verified.

#### ***Finance/John Larson***

Two areas for consideration. We received a letter from the Attorney on the settlement. No monies yet and may not receive them until September or October. John's recommendations on the use of the funds are to use some of the cash for the shortfall observed in the 2010 audit. The other area is to set up a reserve account to begin building a financial foundation.

The deadline for the 2012 audit is July 31, 2012, John has reviewed the responses that was received and recommends an engagement letter be sent to Mid West professionals for 2012 options and 2013/2014.

John is requesting an agent change for Travelers Insurance, to Joe Jeannette, Cartier Agency Inc. Duluth MN. John has worked with him before on projects. Marvin Defoe moved to have the Tribal Chair write up a letter and sign off for an agent change on insurance. Seconded by Dennis Soulier. Motion carried.

Marvin Defoe moved to go with recommendation of Mid West Professionals for the Red Cliff Tribes audit. Seconded by Bryan Bainbridge. Motion carried.

#### ***Legal/David Ujke***

The Gaming Ordinance was approved under NIGC new regulations.

On the Art Beisang Dock appeal, it was challenged by the Tribe and won due to the attorney, and expert witnesses. These permits are not easy to get.

We are closing the clinic loan in a timely manner. The architect contract is final and in place. Taylor Woodstone there is a hold up on a final decision on the contract by the Council on price. Soil boring survey has to be in place before the lender gives you money.

Chapter 27, is now a Flood Claim Ordinance which is required by federal law with insurance ratings at some point needs to be in place.

Ashland Super Fund Site (Excel Site) approved a settlement of 119.62 acres WDNR turned over to Tribe and approved by parties to Court.

Fee land issue on boundaries within Red Cliff for Tribal members on State tax. Resolution approved by the Town of Russell who agreed not to impose on these parcels. Meeting with other Tribal leaders on the 1854 treaty fell apart and has to be worked on with municipalities.

Membership Ordinance is on my agenda regarding certified copies of documents or a copy for use. David will work with Jeanne Gordon and the clerk on these issues.

Voigt Stipulations, third settlement, 17 page issue summary through 43 different topics from wolf, elk seasons pulse rule, monitoring etc. It's important that there be consistency at these meetings. Leo LaFernier is the tribe's rep on the Voigt committee but didn't attend this meeting due to he was sick. Bryan stated George Newago attended the meeting.

The offer on the Raspberry Davidson parcel has expired, no counter offer. Need to develop an inventory of all fee lands.

Council would like Taylor Woodstone to give a presentation to the Council.

Dennis Soulier moved to adjourn. Seconded by Joanne Peterson. Motion carried.

Adjourned: 4:40 p.m.

Respectfully Submitted:

  
Kathy Hanson  
Recording Secretary

ATTEST:

  
Laura J. Gordon, Secretary  
Red Cliff Tribal Council